



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

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APR 01 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

National Can Corporation
c/o Corporation Trust Inc.
32 South Street
Baltimore, MD 21202

Re: 68th Street Dump (aka Robb Tyler Dump), Baltimore
County, Maryland

Dear Sir or Madam:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the above referenced Site. Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 101(33), 42 U.S.C. § 9601(33), which were transported to, stored, treated, or disposed of at the above referenced facility or the surrounding area. (See enclosed "Location Map").

Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

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Instructions for responding to this required submission of information are provided below. Please respond for all materials which are potentially hazardous as well as the hazardous substances, pollutants and contaminants previously specified in this letter.

-INSTRUCTIONS-

1. If asserting a business confidentiality claim on information submitted in response to this request, please clearly mark such information by either stamping or using any other such form of notice that such information is trade secret, proprietary, or company confidential.
2. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request. Note that the terms "you/your" and "Respondent" mean the addressee of this Request, and the addressee's officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.
3. Precede each response with the number of the question to which it corresponds.
4. For each question contained herein, identify all persons consulted in the preparation of the answer. Also provide their titles, areas of responsibility, current addresses, and telephone numbers.
5. For each question contained herein, identify all documents consulted, examined, or referred to in preparation of the answer or that contain information responsive to the question, and provide true and accurate copies of all such documents.
6. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
7. For each question contained herein, if information or documents responsive to this Information Request are not in your possession, custody, or control, state that fact and provide the names, titles, areas of responsibility, addresses, and telephone numbers of the persons from whom such information or documents may be obtained.
8. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this

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fact as soon as possible and provide EPA with a corrected response.

Your written response is due to the EPA within (30) calendar days of your receipt of this letter.

-QUESTIONS-

1. What is the current nature of your business or activity? What was the nature of National Can Corporation's business or activity during the period 1950-1975 in the Baltimore area? Please describe in detail. If the nature of your business or activity changed from the period 1950-1975 to present, please provide a detailed explanation of the changes to date.
2. Please provide the following information regarding all wastes and by-products produced by your company during the period 1950-1975:
 - a. the nature of each waste, hazardous substance, and/or by-product used including its chemical content, characteristics, and physical state (i.e., liquid, solid, gas, or in the form of contaminated rags, cups, containers). Provide chemical analyses and Material Safety Data Sheets ("MSDS"). If these analyses are not available for the period 1950 through 1975, submit analyses for the time period closest to these dates and describe, in detail, any changes in the process(es) in which these wastes were produced that would affect the chemical analyses;
 - b. the annual quantity of each waste, hazardous substance, and/or by-product used or generated;
 - c. the process(es) in which each waste, hazardous substance, and/or by-product was used or the process(es) that generated each;
 - d. the types of containers used to treat, store, or dispose of each waste, hazardous substance, and/or by-product; and
 - e. the method of treatment and or disposal of the above.
3. Provide the names, titles, areas of responsibility, addresses and telephone numbers of all persons, including you, who, during the period 1950-1975, may have:
 - a. disposed or treated materials at the Site;
 - b. arranged for the disposal or treatment of materials at the Site; and

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- c. arranged for the transportation of materials to the Site (either directly or through transshipment points) for disposal or treatment.
- 4. Describe the methods used by your company to dispose and/or treat your company's by-products and wastes during the period 1950-1975.
- 5. If your response to question #4 includes the contracting of a hauler or transporter or if your company made arrangements with Robb Tyler, Inc., Modern Trash, Modern, Inc., North Point Trash Removal, Warren Parker Hauling, or F.P.R. Bohager Company to transport and/or dispose of wastes, explain the arrangements and provide documentation that confirms the nature of those transactions.

Identify:

- a. the persons with whom you, or such other persons, made such arrangements;
 - b. every date on which such arrangements took place;
 - c. for each transaction, the nature and quantity of the material including the chemical content, characteristics, physical state (i.e., liquid, solid), and the process for which the substance was used or the process that generated the substance;
 - d. precise locations at which each material was disposed or treated;
 - e. the persons who selected the Site as the place at which materials were disposed or treated;
 - f. the final disposition of each of the materials involved in such transactions; and
 - g. the names of employees, officers, owners, and agents for each transporter.
6. For each and every instance in which your company arranged for disposal or treatment of material at the Site identify:
- a. the characteristics, physical state (i.e., liquid, solid) and chemical composition of each material;
 - b. the persons who supplied you with each material disposed or otherwise handled by you;
 - c. how such materials were used, treated, transported, disposed, or otherwise handled by you;

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- d. when and where such materials were used, treated, transported, disposed, or otherwise handled by you;
 - e. the quantity (number of loads, gallons, drums) of the materials which were used, treated, transported, disposed, or otherwise handled by you; and
 - f. any billing information and documents (invoices, trip tickets, manifests) in your possession regarding arrangement made with your company to generate, treat, store, transport, or dispose of materials at the Site.
7. Provide the names, titles and areas of responsibility of any persons, including all company employees, present and former, who are knowledgeable of the waste disposal practices of your company during the period 1950-1975. Include current addresses and dates of birth for former employees.
8. Describe any permits or applications and any correspondence between your company and any regulatory agencies regarding materials transported or disposed at the Site.
9. Provide copies of any correspondence between your company and any third party regarding materials transported or disposed at the Site.
10. Provide the identity of, and copies of any documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such materials to the Site.
11. Provide the identities of all predecessors in interest who, during the period 1950-1975, transported to or stored, treated or otherwise disposed of any materials at the Site and describe in detail the nature of your predecessor in interest's business.
12. Provide the name, title, address, and telephone number of the person answering these questions on behalf of the respondent.
13. For each question, provide the name, title, area of the responsibility, current address, and telephone number of all persons consulted in the preparation of the answers.
14. If you have reason to believe that there may be persons able to provide more detailed or complete responses to any question contained herein or who may be able to provide additional responsive documents, provide the names, titles, areas of responsibility, current addresses, and telephone numbers of such persons and the additional information or documents they may have.

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15. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control, then provide the names, titles, areas of responsibility, current addresses, and telephone numbers of the persons from whom such information or documents may be obtained.

16. If you have any information about other parties who may have information which may assist the Agency in its investigation of the Site or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the parties' name, address, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

EPA may contract with one or more independent contracting firms (see attached list of EPA contractors and cooperative agreement grantees) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employment Program (SEE Enrollees). The SEE program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for agency personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to CERCLA, 42 U.S.C. § 9604(e)(7) and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in the

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attachment, you must notify EPA in writing at the time you submit such documents.

You must respond in writing to this required submission of information within 30 (thirty) calendar days of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For other entities, the response must be signed by an authorized official of that entity. If, for any reason, you do not provide all information responsive to this letter, in your answer to EPA you must: (1) describe specifically what was not provided, (2) supply to EPA a clear identification of the document(s) not provided, and (3) provide to EPA an appropriate reason why the document(s) was not provided.

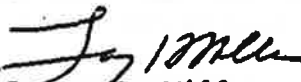
All documents and information should be sent to:

Joan Martin-Banks (3HW11)
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

If you have any questions concerning this matter, please contact Joan Martin-Banks at (215) 566-3156.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Sincerely,



Larry S. Miller, Chief
PRP Investigation &
Site Information Section

Enclosures

cc: Joan Martin-Banks (3HW11)
Bonnie A. Pugh, Assistant Regional Counsel (3RC23)
Robert DeMarco, MDE

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Definitions

1) The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge.

2) The term "hazardous substance" includes, but is not limited to those chemicals identified pursuant to CERCLA Section 101(14) and/or 40 C.F.R. Section 302.4, and may also include hazardous waste that demonstrates the characteristics of ignitability, corrosivity, toxicity or flammability, and may also include any mixtures of such hazardous substances with any other substances, including the mixtures of hazardous substances with petroleum products or other non-hazardous substances.

3) The term "documents" shall mean writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, notes, data, sample analyses, laboratory reports, or other data compilations from which information can be obtained or translated.

4) The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.

5) The term "release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, including the abandonment or discharging of barrels, containers and other closed receptacles containing any hazardous substance, or pollutant or contaminant.

6) The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, mixture, including disease-causing agents, which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations; except that the term "pollutant or contaminant" shall not include petroleum.

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List of Contractors

- Booz-Allen & Hamilton Inc. - Contract # 68-W4-0010

Subcontractors to Booz Allen & Hamilton Inc. are:

CDM-Federal Programs Corporation

Dynamac Corporation

PRC Environmental Management, Inc.

CACI, Inc.

Hydraulic & Water Resources Engineers, Inc.

Investigative Consultant Services, Inc.

Northeast Investigations

Tri-State Enterprises

- CH2MHill - Contract # 68-W8-0090
- Black & Veatch Waste Science and Technology Corporation
Contract # 68-W8-0091
- TetraTech, Inc. - Contract # 68-W8-0092
- Ecology & Environment, Inc. - Contract # 68-W8-0085
- Halliburton NUS Corporation (formerly known as Halliburton
NUS Environmental Corporation) - Contract # 68-W8-0037
- Environmental Technology, Inc. - Contract # 68-S2-3002
- Roy F. Weston, Inc. - Contract # 68-S5-3002
- Brown & Root Environmental
a Division of Brown & Root, Inc. Contract #68-S6 3003

Subcontractors to Brown & Root Environmental are:

Gannett Fleming, Inc.

Dynamac Corp.

C.C. Johnson & Malhotra, P.C.

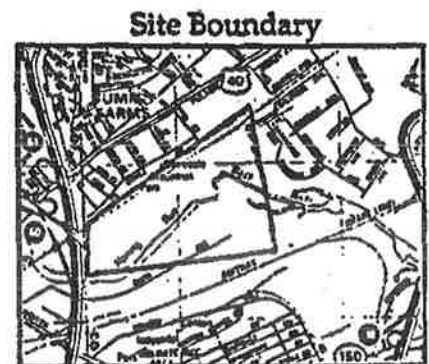
List of Cooperative Agreements

- National Association of Hispanic Elderly - #CQ-822511
- AARP Foundation
(Senior Environmental Employment) - #824021
#823952



BALTIMORE AND VICINITY

**SITE LOCATION MAP
68th STREET DUMP,
ROSEDALE, MD**



P 549 552 336

US Postal Service

Receipt for Certified Mail

National Can Corporation
c/o Corporation Trust Inc.
32 South Street
Baltimore, MD 21202

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	ORIGINAL
Return Receipt Showing to Whom & Date Delivered	(Red)
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

Complete items 1 and/or 2 for additional services.
a. Complete items 3, 4a, and 4b.
b. Print your name and address on the reverse of this form so that we can return the card to you.
c. Attach this form to the front of the subject, or on the back if space does not permit.
d. With "Return Receipt Requested" on the machine below the article number, a "Return Receipt" will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to:

National Can Corporation
c/o Corporation Trust Inc.
32 South Street
Baltimore, MD 21202

4a. Article Number

P 549 552 336

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

4/4/97

8. Addressee's Address (Only if requested and fee is paid)

THE CORPORATION TRUST ENDORSEMENT

5. Received By: (Print Name)
BETH J. LACROIX, MARYLAND 21202

6. Signature (Addressee or Agent)

X

Beth J. Lacroix

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Ms. Joan Martin-Banks (3HW11)
U. S. EPA Region III
841 Chestnut Building
Philadelphia, PA 19107

Re: 68th Street Dump

